

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

MICHAEL D. LARROWE,

Plaintiff,

v.

BANK OF THE CAROLINAS, et al.,

Defendants.

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**MEMORANDUM OPINION
AND RECOMMENDATION**

1:10CV378

This matter is before the court on a motion by Defendant Bank of the Carolinas to dismiss with prejudice certain counterclaims (docket no. 96) filed by the Bank against Plaintiff pursuant to Rule 41(c) of the Federal Rules of Civil Procedure. See FED. R CIV. P. 41(c). Plaintiff has not opposed the motion, and the matter is ripe for disposition. Because Plaintiff does not oppose the motion, **IT IS RECOMMENDED** that the court grant the Bank's motion to dismiss with prejudice the following allegations and claims against Plaintiff (docket no. 96), as alleged in the Bank's First Amendment of Counterclaim (docket no. 77): paragraph 8(e); Count III (tortious interference with regulatory relationships) (paragraphs 18-22); and Count VI (unfair and deceptive trade practices) (paragraphs 32-39).



WALLACE W. DIXON
United States Magistrate Judge

May 16, 2011